

5-24-11

Judge DAVID A. KATZ
1716 SPIELBUSCH
Room 307
Toledo, OH 44870-2517

Re: Midland Funding, LLC v.
AMERICA BREW V.
MIDLAND CREDIT MANAGEMENT
CASE No. 3:10-CV-0091
ND OHIO
NO 3:08-CV-01474
NO 3:11-CV-0096

Re: Objection to SETTLEMENT

DEAR SIR:

I wish to object to the SETTLEMENT IN AS MUCH AS IT DOES NOT ADDRESS THE ISSUE OF JUDGEMENT AWARDED WITH THE USE OF THE "AFFIDAVIT" THAT ALLEGEDLY CONTAINS FALSE INFORMATION AS TO THE PERSONAL KNOWLEDGE OF THE AFFIANT, A VIOLATION OF THE FDCPA.

IT IS DOUBTFUL THAT JUDGEMENT WOULD HAVE BEEN AWARDED WITH THE AFFIDAVIT IN QUESTION NOT BEING PRESENTED AT THE TIME OF TRIAL AND AS SUCH THE AFFIDAVIT PRESENTED TO THE COURT WAS IN VIOLATION OF THE FDCPA. THIS BEING SAID ANY JUDGEMENT AWARDED SHOULD BE VACATED ANY ANY LISTING OF THE "LAW SUIT / JUDGMENT" LISTED WITH CREDIT REPORT AGENCIES SHOULD BE REMOVED TO AVOID THE IMPACT ON "CREDIT SCORES". THIS BEING DONE WOULD ELIMINATE ANY NEED TO SEEK DAMAGES, IN AS MUCH AS THE COURT HAS RULED THE COLLECTION LAW SUIT TO BE VALID.

• TO LEAVE ANY LAWSUITS OR JUDGMENTS IN PLACE THAT WERE OBTAINED WITH THE "AFFIDAVIT" SHOULD NOT BE ALLOWED TO STAND AND ANY LIENS ON REAL PROPERTY SHOULD BE REMOVED.

IT IS FELT THAT "MIDLAND" SHOULD NOT BE ENTITLED TO ANY MONIES AWARDED IN SAID SUITS OR ANY MONIES

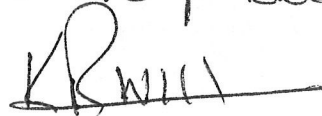
DERIVED AS A RESULT OF LIENS ON REAL PROPERTY AS A RESULT OF SAIC JUDGEMENTS.

WHEN THE JUDGEMENTS ARE VACATED AS A RESULT OF THE AFFIDAVITS "MIDLAND" WOULD BE ABLE TO REFILE THE ACTION > IF THEY CHOOSE AND ANY QUESTION OF DAMAGES COULD BE ARGUED AT THAT TIME.

IT IS HARD TO GRASP THAT THE OFFER OF A \$10.00 SETTLEMENT BY "MIDLAND" IS NOTHING MORE THAN AN INSULT FOR WHAT THEY DID AND THE LIVES THEY AFFECTED.

PLEASE ADDRESS ANY WRITTEN RESPONSE TO ANY TEMPORARY MAIL ADDRESS AS I AM IN AND OUT OF STATE SEEKING FURTHER DIAGNOSIS AND/OR MEDICAL TREATMENT AND PEOPLE FROM MY CHURCH ARE HOUSESITTING - PLEASE NO PHONE CALLS:

K. R. WITT
% C.E. DANIEL
2976 PINYON AVE
GRAND JUNCTION, CO 81504



COPIES TO: MURRY & MURRAY ATTN: RHONDA RICE
111 EAST SHORELINE DR.
SANDUSKY, OH 44870-2517

DAVID A BAUER
ATTY @ LAW
2594 S. LEWIS WY
LAKEWOOD, CO 80027

ATTORNEYS FOR THEIR CLIENTS
- MIDLAND CREDIT
- CAPITAL ONE (MIDLANDS CLIENT)

YOU MAY BE ENTITLED TO MONEY

A Federal court authorized this notice.

This is not a solicitation from a lawyer.

IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OHIO WESTERN DIVISION

**If Midland Credit Management, Inc., Midland Funding, LLC, or
Encore Capital Group, Inc., or their affiliates, filed a lawsuit against you,
you may benefit from this class action settlement.**

The case is titled: *Midland Funding, LLC v. Andrea Brent v. Midland Credit Management, Inc.* Case No.
3:08-cv-01434;
and related cases:

Martha Vassalle, et al v. Midland Funding, LLC, et al, Case No. 3:11-cv-0096; and
Hope Franklin and Thomas Hyder v. Midland Funding, LLC et al, Case No. 3:10-cv-0091

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT

SUBMIT A CLAIM FORM BY JUNE 1, 2011	If you submit a claim form via mail or online at www.BrentSettlement.com by June 1, 2011 , you will remain in the settlement class and you will be entitled to receive a cash payment from the settlement fund.
DO NOTHING BUT STAY IN THE SETTLEMENT	By doing nothing you will still be bound by the terms of the settlement agreement and any order the Court issues, but you will NOT receive a cash payment.
EXCLUDE YOURSELF	You will receive no benefits, but you will not be giving up your legal claims against the defendant.
OBJECT	Write to the Court about why you do not like the settlement. You may also appear at the fairness hearing.
GO TO A HEARING	Ask to speak in Court about the fairness of the settlement.

These rights and options and the deadlines to exercise them are explained below.

1. Why did I get this Notice?

Andrea Brent, Hope Franklin, Martha Vassalle and Jerome Johnson (collectively "Plaintiffs"), filed class action lawsuits alleging that Defendants, Midland Credit Management, Inc., Midland Funding, LLC and Encore Capital Group, Inc. (collectively "Defendants" or "Midland"), violated the Fair Debt Collection Practices Act, ("FDCPA"), as well as state common law and consumer statutes (also collectively "the Law"), by filing lawsuits against Plaintiffs with an affidavit that allegedly contained false information. You received this notice because you have been identified from the Defendants' records as a person whom Defendants filed a lawsuit that may have included an affidavit between January 1, 2005 and March 11, 2011.

DAVID A. BAUER
Attorney at Law
2594 S. Lewis Wy
LAKEWOOD, CO 80227

RE: 2007 Law suit for your
clients MARINE MIDLAND/
Midland Funding LLC
Midland Credit Mgmt.
their client Capital One


DEAR MR BAUER

THIS LETTER WILL SERVE AS DEMAND THAT THE
JUDGEMENT AWARDED YOU AND YOUR CLIENTS BE
VACATED AND ANY AND ALL NOTIFICATIONS TO CREDIT
REPORTING AGENCIES BE REMOVED.

IT HAS BEEN RULED BY THE OHIO COURTS THAT
YOUR CLIENTS VIOLATED "FDCPA" BY USING AN
AFFIDAVIT THAT CONTAINED FALSE INFORMATION AS TO
THE PERSONAL KNOWLEDGE OF THE AFFIANT - A VIOLATION
OF FDCPA AND SAID DOCUMENTS WERE USED IN THE
LAW SUIT TO OBTAIN A JUDGEMENT.

NO DAMAGES ARE SOUGHT AT THIS TIME AND IF YOUR
CLIENTS WISH TO REFILE DAMAGES WILL BE CONSIDERED
AT THAT TIME.

PLEASE RESPOND BY MAIL ONLY TO MY "TEMPORARY
MAILING ADDRESS" THRU SEPTEMBER AS I AM IN AND
OUT OF STATE SEEKING MEDICAL TREATMENT AND/OR
FURTHER DIAGNOSIS:

K.R. WITT (KEENE) 
c/o E.E. DANIEL
2976 PINYON AVE
GRAND JUNCTION, CO 81504

NO PHONE CALLS AS PEOPLE FROM MY CHURCH ARE HOUSESITTING
ENCLOSURES